

Notice of Allowability

Application No.

09/993,192

Examiner

David A. Lambertson

Applicant(s)

RHEE ET AL.

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1636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/27/04.
2. ☒ The allowed claim(s) is/are 17.
3. ☒ The drawings filed on 14 November 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/674,617.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Please enter the amendment to the first line of the specification filed on November 7, 2003, in accordance with MPEP § 201.11. The amendment should read as follows:

“This application is a divisional of application U.S. Ser. No. 09/674,617, filed January 3, 2001, now abandoned, from which priority is indicated herein under 35 USC § 371 PCT/KR00/00173, filed March 4, 2000 (International Publication No. WO 00/52113, published in English on September 8, 2000) and Republic of Korea application 10743, filed March 3, 2000, and Republic of Korea application 7177, filed March 4, 1999.”

In the Abstract, please remove the figure below the text.

In the first line of the claims (page 38 of the specification), please substitute “What is claimed is:” for the term “Claims.”

Clarification of Amendments to the specification

The Amendment filed March 5, 2002 appears to have some discrepancies between the "Clean Copy of Amended Specification" (beginning on page 9 of the amendment; henceforth referred to as the "Clean Copy") and the specification itself. The following clarification is provided in order to prevent further delay in the issue of the instant application.

1. On page 9 of the Clean Copy, it appears that the amendment should be directed to "page 9, lines 13-21," rather than "page 9, lines 22-29" (which has an unrelated text); this clarification is further consistent with the direction on page 1 of the same amendment to correct line 21 of page 9.
2. On page 10 of the Clean Copy, it appears that the amendment should be directed to "from page 12, line 7 to page 13, line 1" (as opposed to "from page 12, line 7 to page 13, lines 1-29"). The text from lines 2-29 of page 13, as set forth in the original specification, does not appear in the Clean Copy of the amendment. As such, it is presumed the notation to replace the text was a typographical error. This clarification is also consistent with the directions on page 1 of the same amendment.
3. On pages 11-12 of the Clean Copy, it appears that the amendment appearing second (indicated as being directed to "page 13, lines 3-23") should be directed to "page 14, lines 2-23." This clarification is again consistent with the contents of the original specification, and is also consistent with the directions provided on the first page of the same amendment.

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4. On page 13 of the Clean Copy, it appears that the amendment directed to "from page 14, line 25 to page 25, line 24," should actually be directed to "from page 14, line 25 to page 15, line 24." The text from lines pages 16-25, as set forth in the original specification, does not appear in the Clean Copy of the amendment. As such, it is presumed the notation to replace the text was a typographical error. This clarification is also consistent with the directions on pages 1-2 of the same amendment.

If Applicant does not agree with the clarifications set forth above, it is requested that they provide further explanation as to how the amendments set forth should have been carried out. It is again reiterated that these clarifications are set forth to clarify the amendments to the specification for facilitation of the printing of the patent with its properly designated amendments.

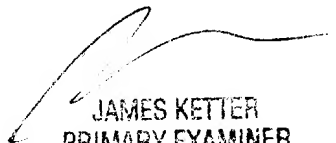
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A. Lambertson whose telephone number is (571) 272-0771. The examiner can normally be reached on 6:30am to 4pm, Mon.-Fri., first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel, Ph.D. can be reached on (571) 272-0781. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David A. Lambertson, Ph.D.
AU 1636



JAMES KETTER
PRIMARY EXAMINER